

Superior Court of California, County of Riverside
Dispute Resolution Services

Evaluations Brochure

The purpose of the Family Law Court is to assist you in providing for the best interests of your children. As parents, it is your right and responsibility to guide each child to a healthy and productive life. Our role as Evaluators is to listen to you and gather information. We share this information with the Judge and develop recommendations that focus on the best interest, health, safety, and welfare of the child.

The Steps of the Evaluation Process

1. The Court orders an Evaluation to gather more information about you and your child.
2. You will receive in Court a paper that says "Order for Evaluation" which states the Judge's concerns for your children.
3. The Evaluation costs \$60 an hour for everything the Evaluator does. There is no set price or amount of time for the evaluation because every family is different.
4. **Go to Financial Services before you leave the courthouse. Bring the "Order for Evaluation" form with you.** Financial Services will set up a payment plan if one is needed.
5. **Contact your assigned evaluator within 10 days or call 760-863-8171.**
6. The Evaluator will contact you by phone or mail to set up an appointment.
7. The Evaluator will interview the parents, either together or separately, and may interview the children, family members, friends, or agencies. The Evaluator will decide whom to interview.
8. The Evaluator may do criminal background checks and contact Child Protective Services as needed.
9. The Evaluator will prepare a report based on the information they gathered and recommend what he or she thinks is best for the children.
10. The Judge and each parent or attorney will receive a copy of the report before the court hearing. You may discuss the report and your concerns with the Judge at the hearing.
11. **If you agree on a parenting plan for custody and visitation at any time during the process please advise the Evaluator as soon as possible.**

Why an Evaluation is Ordered

If the custody and visitation issues are not settled in Mediation or in Court, and there are serious concerns about either parent's ability to parent the children, the judge may order an Evaluation. The following are areas of concern that may affect the health and well being of the children:

- A parent behaves in a manner that could potentially harm the children.
- A parent abuses or neglects the children or allows another person to abuse or neglect the children.
- The home environment of either parent appears to be detrimental to the children.
- The child has special needs.
- One parent wishes to relocate with the children and the move will impair continuing and frequent contact between the child and the other parent.
- One or both parents have problems with substance abuse or suffer from mental health problems.
- Domestic violence.

The Goal of the Evaluation

Our goal is to assist the parents to resolve the issues that brought them to Court. The benefit of a child custody evaluation is to have a professional who is knowledgeable about children, families, and child custody issues give objective input.

We believe that both parents should have meaningful participation in their child's life. The law directs us to look at the best interest as well as the health, safety, and welfare of your child. There are a variety of issues involved in the best interests of the child, but the main questions we consider are –

- Is the child safe? Is the child loved? Is the child cared for?

The Report

The Evaluator provides the court and you (or your attorney) with a written or oral report and recommendations. The report is the Evaluator's professional opinion. The Evaluator will describe what procedures were used and all sources of information used to reach the recommendation. The report contains a summary of the information collected, the Evaluator's assessment of the family relationships and the needs of the children, and the issues that may be affecting the health and well being of the children. Specific recommendations, similar to Mediation recommendations, are usually attached to the report.

The Report is Not "Children's Business"

Each parent is asked to behave in a way that does not cause the children to suffer any repercussions as a result of what they told the Evaluator. Under no circumstances should the report be shared with, read to, or discussed with, the children.

Cost

You are expected to go to Court Financial Services as ordered by the Court. The total cost of the evaluation is computed based on \$60 per hour charge for all the Evaluator's services. The Court's Financial Services Division will work with you to determine an appropriate payment schedule based on your ability to pay. Payment schedules are subject to the Court's approval. Payments can be made at the Public Service Counter at the Superior Court closest to you. Please do not ask the Evaluator about payment schedules. They can explain what we charge for, but the rate is set by Court policy.

Confidentiality

The information the Evaluator gathers about you and your family is confidential according to the guidelines of the Family Law Court. The information in the report will be shared with the Judge and the other parties involved in your case. Court Evaluators will make reports to Child Protective Services if they suspect child abuse or neglect and to the proper authorities as necessary.

Communications with Parties & Attorneys

The Court has special rules about when the matters can be discussed. There shall be no Ex parte (one-on-one) communications between the attorneys and the Evaluator, or between the Evaluator and the Court. The attorney shall not speak to the Evaluator about issues in the case unless the other party or their attorney is present to participate (either in person or by telephone). No attorney or party to the action shall provide the Evaluator with documents, tapes, or photos pertaining to the case without first providing them to the other side and any attorney of record for the child. Evaluators are permitted one-on-one communication with the child's attorney, if the Court appointed one.

Court Testimony by an Evaluator

Any request for an Evaluator to be present at a hearing for the purpose of cross examination should be delivered to the Child Custody Evaluations office at least five (5) working days prior to the appearance date. No subpoena is required.

Child Custody Evaluation Staff

The Court Evaluators have master's degrees in social work, marriage and family therapy or psychology and at least two years post graduate experience working with families and children. All the Evaluators have a strong background in investigations and family services. The staff has also received extensive training in evaluation.

Questions and Complaints

Feedback is very important to us and serves to improve the evaluation process. When a complaint is reported the supervisor will review the complaint as well as the case file and discuss the matter with the Evaluator. A written response will be sent to the person filing a complaint. Complaints about services provided by Evaluators should be addressed in writing to: Supervising Court Evaluator, Family Court Services, Evaluations Office, 4175 Main Street, Riverside, CA 92501. If the complaint is not satisfactorily resolved, it may be brought to the attention of the appropriate Court Services Director at the same address.

Superior Court Web Site

www.courts.co.riverside.ca.us

Riverside Self Help Kiosk

www.courts.co.riverside.ca.us/kiosks/kiosk.htm

State Court– Self Help

<http://www.courtinfo.ca.gov/selfhelp/>